

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TALECRIS BIOTHERAPEUTICS, INC., AND)
BAYER HEALTHCARE LLC,)

Plaintiffs,)

v.)

C.A. NO. 05-349-GMS

BAXTER INTERNATIONAL INC., AND)
BAXTER HEALTHCARE CORPORATION,)

Jury Trial Demanded

Defendants.)

BAXTER HEALTHCARE CORPORATION,)

Counterclaimant,)

v.)

TALECRIS BIOTHERAPEUTICS, INC., and)
BAYER HEALTHCARE LLC,)

Counterdefendants.)

[PROPOSED] ORDER

AND NOW, this ____ day of _____, 2007, upon consideration of Baxter's Motion *in Limine* No. 5 to Prohibit Any Evidence or Argument Regarding Plaintiffs' Non-Injunction Scenario, and Plaintiffs' Opposition thereto, it is hereby ORDERED that Baxter's Motion *in Limine* No. 5 is DENIED.

IT IS SO ORDERED.

Gregory M. Sleet, United States District Judge